



PATENT
Customer No. 58,982
Attorney Docket No. 08350.1722-00000

AF
\$
SPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Steven R. JANDA) Group Art Unit: 3629
Application No.: 10/026,965) Examiner: Dennis W. Ruhl
Filed: December 27, 2001) Confirmation No.: 1798
For: AUTONOMOUS RENTAL STORE)

Attention: Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

In support of the Notice of Appeal filed August 4, 2006, and further to 37 C.F.R. 41.37(a)(1), Appellant presents this brief and encloses herewith a check for the fee of \$500.00 required under 37 C.F.R. 41.20(b)(2).

This Appeal responds to the final rejection of claims 1, 2, 5-22, and 29-32 in the Office Action mailed March 8, 2006 and to the Advisory Action mailed June 20, 2006.

If any additional fees are required or if the enclosed payment is insufficient, Appellant requests that the required fees be charged to Deposit Account No. 06-0916.

10/06/2006 MAHME1 00000043 10026965

01 FC:1402

500.00 OP

Table of Contents

I.	Real Party in Interest.....	3
II.	Related Appeals and Interferences.....	4
III.	Status of Claims	5
IV.	Status of Amendments.....	6
V.	Summary of Claimed Subject Matter	7
VI.	Grounds of Rejection	11
VII.	Argument.....	12
VIII.	Conclusion.....	22
IX.	Claims Appendix to Appeal Brief	23
X.	Evidence Appendix to Appeal Brief	31
XI.	Related Proceedings Appendix to Appeal Brief.....	32

I. REAL PARTY IN INTEREST

Caterpillar Inc. is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

There are currently no other appeals or interferences, of which Appellant, Appellant's legal representative, or assignee are aware, that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1, 2, 5-22, and 29-32 are pending in this application. Claims 1, 2, 5-22, and 29-32 are rejected and are involved in this appeal. A copy of these claims is provided in the attached appendix to the appeal brief.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the final rejection of claims 1, 2, 5-22, and 29-32 in the Office Action mailed March 8, 2006.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates generally to rental equipment businesses and, more particularly, to a system and method for improving the availability of rental equipment.

Independent claim 1 is directed to a method of managing rental equipment. *See*, for example, specification at page 2-3, paragraph no. 8. The method includes selectively providing customer access to a first and second secure area based on the sensed identity of the customer. *See*, for example, specification at page 9-10, paragraph no. 35-36, and Fig. 3a. The method also includes storing a rental list of rental equipment removed by the customer from one of a plurality of secure areas. *See*, for example, specification at page 11-12, paragraph no. 40, and Fig. 3b. The method also includes automatically generating a return list of the rental equipment items returned to the secure area and determining at least one missing rental equipment item listed on the rental list and not listed on the return list. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b. The method further includes storing a designation of a missing rental equipment item together with the identity of the customer. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b.

Independent claim 8 is also directed to a method of managing rental equipment. *See*, for example, specification at page 2-3, paragraph no. 8. The method includes generating a rental list of rental equipment items based on a reservation received from a customer, sensing the identity of the customer at a secure area after the rental list has

been generated, and providing customer access based on the customer's sensed identity. *See*, for example, specification at page 11, paragraph 39, and page 14, paragraph no. 47. The method also includes automatically generating a return list of the rental equipment items returned to the secure area and determining at least one missing rental equipment item listed on the rental list and not listed on the return list. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b. The method further includes alerting the customer to return missing rental equipment to the secure area. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b.

Independent claim 13 is also directed to a method of managing rental equipment. *See*, for example, specification at page 2-3, paragraph no. 8. The method includes storing a rental list of rental equipment items removed from one of a plurality of secure areas assigned to a customer, sensing the identity of the customer at a secure area after the rental list has been generated, and providing customer access based on the customer's sensed identity. *See*, for example, specification at page 11-12, paragraph 39-40. The method also includes automatically generating a return list of the rental equipment items returned to the secure area and determining at least one missing rental equipment item listed on the rental list and not listed on the return list. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b. The method further includes billing the customer for costs associated with the missing rental equipment item. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b.

Independent claim 16 is directed to a system for managing rental equipment. *See*, for example, specification at page 3-4, paragraph no. 11-12. The system comprises a

first secure area and a plurality of second secure areas, one of which is assigned to a customer. See, for example, specification at 6-7, paragraph no. 29-30, and Fig. 2. The system also comprises a rental component that generates a rental list of the rental equipment items removed from the second secure area. See, for example, specification at page 11-12, paragraph no. 40, and Fig. 3b. The system also comprises an access controller that selectively allows the customer access to the second secure area. See, for example, specification at page 11, paragraph no. 39, and Fig. 3b. The system also comprises a return component that generates a return list of rental equipment items returned to the second secure area by the customer and determines at least one missing rental equipment item listed on the rental list but not listed on the return list. See, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b. The system further comprises an invoice component that bills the customer for a cost associated with the missing rental equipment item. See, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b.

Independent claim 29 is also directed to a system for managing rental equipment. See, for example, specification at 6-7, paragraph no. 29-30, and Fig. 2. The system comprises a first secure area and a plurality of second secure areas, one of which is assigned to a customer. See, for example, specification at 6-7, paragraph no. 29-30, and Fig. 2. The system also comprises an access controller that selectively allows the customer access to the second secure area. See, for example, specification at page 11, paragraph no. 39, and Fig. 3b. The system also comprises a partial return component that detects a missing piece of rental equipment previously rented by the customer but not among the rental equipment returned by the customer to the second secure area.

See, for example, specification at page 15-16, paragraph no. 51, and Fig. 4a. The system further comprises an invoice component that automatically bills the customer for costs associated with the missing piece of rental equipment. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b.

Independent claim 31 is also directed to a method of managing rental equipment. *See*, for example, specification at page 2-3, paragraph no. 8. The method includes sensing the identity of the customer, and providing customer access to a secure area based on the customer's sensed identity. *See*, for example, specification at page 11, paragraph no. 39, and Fig. 3b. The method also includes sensing a plurality of pieces of equipment and status information related to the customer's use of the piece of equipment as the piece of equipment is moved within a predetermined distance from an entrance of the secure area. *See*, for example, specification at page 15-16, paragraph 51. The method also includes determining a missing rental equipment item previously removed from the secure area by the customer but not among the plurality of pieces of equipment moved within the predetermined distance from the entrance of the secure area. *See*, for example, specification at page 15-16, paragraph 51. The method further includes automatically billing the customer for use of the missing rental equipment item. *See*, for example, specification at page 16-17, paragraph no. 53, and Fig. 4b.

VI. GROUNDS OF REJECTION

A. Claims 16-18, 20, 21, 29, and 30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Brown et al., U.S. Patent Application Publication No. 2002/0118111 A1 ("*Brown*").

B. Claims 1, 2, 5-15, 19, 22, 31, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brown*.

VII. ARGUMENT

A. The rejection of claims 16-18, 20, 21, 29, and 30 under 35 U.S.C. § 102(e) as being anticipated by *Brown* should be reversed

The Examiner rejected claims 16-18, 20, 21, 29, and 30 under 35 U.S.C. § 102(e) as being anticipated by *Brown*. The Board should reverse the rejection because the Examiner has failed to establish a proper anticipation rejection based on *Brown*.

In order to properly establish that *Brown* anticipates Appellant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 16 recites a system including, for example:

- a first secure area;
- a plurality of second secure areas accessible from the first secure area, one of which is assigned to a customer;
- a rental component . . . ;
- an access controller . . . ;
- a return component that generates a return list of rental equipment items returned to the second secure area by the customer and determines at least one missing rental equipment item listed on the rental list but not listed on the return list; and
- an invoice component that bills the customer for a cost associated with the missing rental equipment item.

(emphasis added). *Brown* does not disclose each and every element of Applicant's claimed invention. *Brown* discloses a "system and method for monitoring the movement of goods with the identity of an individual" (paragraph 0016). Objects are stored in storage room 110 (Fig. 1A and 1B and paragraph 0020). Storage room 110 is accessed

via locking mechanism 170 and locking mechanism controller 180 (paragraph 0025). The locking mechanism 170 allows user access to storage room 110.

The Office Action states that the claimed first and second secure areas are “broad enough to read on two areas of room 110” (Final Office Action mailed March 8, 2006 at page 2). The Advisory Action mailed June 20, 2006 at page 2 states that “[t]he room in *Brown* has 2nd areas inside the room that are secure because of the locked door of the room.” This is not correct.

In *Brown*, the user can enter storage room 110. Once the user is inside, the user has access to all areas of the room. All items within the room are accessible, and no items within the room are within a second secure area. Because the user has access to all parts of storage room 110, no second secure areas exist. There is one secure entrance to storage room 110, and once the user is inside the room, the user may access all parts of the room. Therefore, *Brown* does not teach “a plurality of second secure areas accessible from the first secure area, one of which is assigned to a customer,” as recited in claim 16.

Moreover, in *Brown*, “the user or other consuming party may be automatically billed for the objects in inventory” (paragraph 0033). Even assuming that *Brown* can associate items with a user and can bill the user for those items, *Brown* does not teach determining “at least one missing rental equipment item listed on the rental list but not listed on the return list,” as further recited in claim 16. The user, in *Brown*, may be billed for items taken from inventory. There is no teaching that the user is billed when the user returns the items.

The Examiner states, “as the items are noted as being returned, the identification of that item is noted by the system and logged. . . The system tracks removal and return of items and logs all relevant information about the items and their removal and return” (Advisory Action mailed June 20, 2006 at page 2). Appellant disagrees. *Brown* discloses an auto-return (paragraph 0033), but this auto-return is not associated with billing the user. As shown in Fig. 3, billing occurs when the user removes the items, and the auto-return is separate from billing. Therefore, *Brown* does not teach “an invoice component that bills the customer for a cost associated with the missing rental equipment item”, as further recited in claim 16.

Brown fails to teach at least these elements, and *Brown* cannot anticipate claim 16. Accordingly, the Board should reverse the Examiner’s rejection of claim 16 because the Examiner has failed to establish that *Brown* discloses each and every element of claim 16. Additionally, the Board should reverse the Examiner’s rejection of dependent claims 17, 18, 20, and 21 at least because these claims depend from claim 16.

Independent claim 29, while of a different scope, recites limitations similar to those of claim 16 and is thus allowable over *Brown* for at least the same reasons discussed above with regard to claim 16. Accordingly, the Board should reverse the Examiner’s rejection of claim 29. Additionally, the Board should reverse the Examiner’s rejection of dependent claim 30 at least because it directly depends from claim 29.

B. The rejection of claims 1, 2, 5, 6, and 7 under 35 U.S.C. § 103(a) as being unpatentable over *Brown* should be reversed

Claims 1, 2, 5, 6, and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brown*. A *prima facie* case of obviousness requires that the prior art

references, when combined, must teach or suggest every aspect of the claims. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); *see also* M.P.E.P. § 2143. The Board should reverse the rejection because *Brown* does not teach or suggest every element of claims 1, 2, 5, 6, and 7.

Claim 1 recites a method including, for example:

storing a rental list of a plurality of rental equipment items . . .
...
selectively providing the customer access to the second secure area assigned to the customer based upon the sensed identity of the customer;
after the customer is provided access to the second secure area,
automatically generating a return list of rental equipment items returned to the second secure area by the customer;
determining at least one missing rental equipment item listed on the rental list and not listed on the return list; and
storing a designation of the at least one missing rental equipment item together with an identifier of the customer.

(emphasis added). *Brown* does not teach or suggest at least these emphasized steps.

Brown does not disclose or suggest a second secure area, as discussed previously.

Therefore, *Brown* cannot disclose or suggest “selectively providing the customer access to the second secure area.” Further, *Brown* does not disclose a second secure area that is “assigned to the customer” and therefore cannot disclose or suggest the step of selectively providing access to such.

The Office Action states that “language reciting the 2nd secure area is assigned to the customer has been considered but is not taken as a method step” (Final Office Action mailed March 8, 2006 at page 4). The claim language referred to by the Examiner (i.e. “assigned to the customer”) serves to further define the second secure area. In order to practice the claimed invention, the step of “selectively providing the customer access to the second secure area” is met only when the customer is permitted to access a secured

area assigned to herself. Thus, this limitation must be given weight by the Examiner.

Brown does not disclose nor suggest a second secure area that is assigned to a particular customer, nor does *Brown* disclose or suggest selectively providing access to such an area.

The specification states that “access controller 107 may allow the customer to access first secured area 102, for example, by unlocking and opening the gate . . . [and] access controller 112 may allow the customer to access the second secured area 104 (paragraph 39 and Fig. 2, 3a, and 3b). Therefore, second secure area 104, located within first secure area 102, also contains a means for selective customer access.

In *Brown*, storage room 110 is accessed via locking mechanism 170 and locking mechanism controller 180 (paragraph 0025). The locking mechanism 170 allows user access to storage room 110. Once the user is inside, the user has access to all areas of the room. All items within the room are accessible, and no items within the room are within a second secure area. Because the user has access to all parts of storage room 110, no second secure areas exist. There is one secure entrance to storage room 110, and once the user is inside the room, the user may access all parts of the room. There is no part of the room to which access may be selectively granted to the user. Therefore, *Brown* does not teach the step of “selectively providing the customer access to the second secure area assigned to the customer based upon the sensed identity of the customer,” as recited in claim 1.

In addition, *Brown* does not teach or suggest the steps of “automatically generating a return list of rental equipment items returned to the second secure area by the customer,” “determining at least one missing rental equipment item listed on the rental list

and not listed on the return list,” and “storing a designation of the at least one missing rental equipment item together with an identifier of the customer,” as further recited in claim 1. The Examiner alleges, “because Brown discloses that the invention can be used in rental stores, it would have been obvious . . . to determine whether or not a customer has returned all rented items that the customer has previously removed” (Final Office Action mailed March 8, 2006 at page 4-5). This assertion is conjecture. Even assuming that the item in *Brown* may be “rented,” which Appellant does not concede, there is no teaching or suggestion in *Brown* that a return list is generated. Even if a rental store could generate a return list, absent any teaching in prior art, an employee must enter the video information. Because a return list may only be generated by the employee’s interaction with the video, the method of returning videos to a video store does not include the step of “automatically generating a return list of rental equipment items returned to the second secure area by the customer,” as recited in claim 1. Therefore, the prior art also does not teach “determining at least one missing rental equipment item listed on the rental list and not listed on the return list,” and “storing a designation of the at least one missing rental equipment item together with an identifier of the customer,” as further recited in claim 1.

Accordingly, *Brown* fails to establish a *prima facie* case of obviousness with respect to claim 1, at least because the reference fails to teach or suggest each and every element of the claim. Accordingly, the Board should reverse the Examiner’s rejection of claim 1. Additionally, the Board should reverse the Examiner’s rejection of dependent claims 2, 5, 6, and 7 at least because these claims depend from claim 1.

C. The rejection of claims 8-15 under 35 U.S.C. § 103(a) as being unpatentable over *Brown* should be reversed

With regard to independent claim 8, *Brown* does not disclose or suggest "automatically generating a return list of each piece of equipment sensed being moved into the secure area" and "determining at least one missing rental equipment item listed on the rental list but not listed on the return list." When videos are returned or scanned in, the returned item is removed from the rental list. A return list is not generated.

When videos are returned to a rental store, a return list is not automatically generated. Rather, when a user returns a video, an employee of the video store must retrieve the video and enter the video information by, for example, scanning the video barcode, manually entering the information in a computer, or associating the video with a written list of rented videos. The returned video is associated with the account of the user that rented the video, and the video may be removed from the account. Removal of a video from a user's account, however, does not teach generating a return list.

As previously stated, even if a rental store could generate a return list, absent any teaching in prior art, an employee must enter the video information. Therefore, because a return list may only be generated by the employee's interaction with the video, the method of returning videos to a video store does not include the step of "automatically generating a return list of each piece of equipment sensed being moved into the secure area", as recited in claim 8. Therefore, the prior art does not teach "determining at least one missing rental equipment listed on the rental list but not listed on the return list," as further recited in claim 8.

Brown fails to establish a *prima facie* case of obviousness with respect to claim 8. Accordingly, the Board should reverse the Examiner's rejection of claim 8. Additionally, the Board should reverse the Examiner's rejection of dependent claims 9-12 at least because these claims depend from claim 8.

Independent claim 13, while of a different scope, recites limitations similar to those of claim 8 and is thus allowable over *Brown* for at least the same reasons discussed above with regard to claim 8. Accordingly, the Board should reverse the Examiner's rejection of claim 13. Additionally, the Board should reverse the Examiner's rejection of dependent claims 14 and 15 at least because these claims directly depend from claim 13.

D. The rejection of claims 19 and 22 under 35 U.S.C. § 103(a) as being unpatentable over *Brown* should be reversed

Claims 19 and 22 depend from claim 16. As previously stated, *Brown* does not teach or suggest "a plurality of second secure areas accessible from the first secure area, one of which is assigned to a customer," "a return component that generates a return list of rental equipment items returned to the second secure area by the customer and determines at least one missing rental equipment item listed on the rental list but not listed on the return list," or "an invoice component that bills the customer for a cost associated with the missing rental equipment item," as recited in claim 16.

Moreover, the Examiner acknowledges that *Brown* "does not disclose a GPS sensor," and asserts that "GPS is widely recognized [and] . . . works everywhere in the United States." (Final Office Action mailed March 8, 2006 on page 7). Even assuming that this assertion is correct, which Appellant does not concede, *Brown* does not teach or suggest "a plurality of second secure areas accessible from the first secure area, one of

which is assigned to a customer,” “a return component that generates a return list of rental equipment items returned to the second secure area by the customer and determines at least one missing rental equipment item listed on the rental list but not listed on the return list,” or “an invoice component that bills the customer for a cost associated with the missing rental equipment item,” as recited in claim 16. Therefore, the Board should reverse the Examiner’s rejection of dependent claims 19 and 22 at least because these claims depend from claim 16.

E. The rejection of claims 31 and 32 under 35 U.S.C. § 103(a) as being unpatentable over *Brown* should be reversed

Claim 31 recites “determining a missing rental equipment item previously removed from the secure area by the customer but not among the plurality of pieces of equipment moved within the predetermined distance from the entrance of the secure area,” and “automatically billing the customer for use of the missing rental equipment item.” *Brown* does not teach or suggest at least these steps.

Brown only bills the user for items removed from the storage room 110. Therefore, *Brown* does not teach “determining a missing rental equipment item previously removed from the secure area by the customer but not among the plurality of pieces of equipment moved within the predetermined distance from the entrance of the secure area” and “automatically billing the customer for use of the missing rental equipment item,” as recited in claim 31.

The Office Action states that one of ordinary skill “would have been motivated to bill the customer for items that are not returned so that the rental business owner would not be losing inventory without proper compensation” (Final Office Action mailed March 8,

2006 on pages 6-7). Even assuming that billing customers for items that are not returned is well known in the art, this billing occurs when an employee (e.g., at a video store) manually enters the information for the videos that are returned and determines that other videos are due and have not been returned. If videos are overdue, the employee may call the user and inform her that a video is overdue (as discussed in the Official Notice taken by the Examiner on page 5 of the Final Office Action) and that a late fee may be associated with the video. However, a bill is not generated until the person returns the overdue video. Once the video is returned, a late fee is charged associated with the number of days that the video is overdue. The customer is billed based on how long she kept the video past the due date. The bill associated with the late fee is generated, and the customer is billed, when the overdue video is returned. Alternatively, if the customer never returns the video, the customer will be billed after appropriate steps have been taken to remind the customer to return the video and to warn the customer that she will be charged if the video is not returned. Therefore, this method of billing a customer does not include the step of "automatically billing the customer for use of the missing rental equipment item" once it has been determined that an item is missing.

Brown fails to establish a *prima facie* case of obviousness with respect to claim 31. Accordingly, the Board should reverse the Examiner's rejection of claim 31. Additionally, the Board should reverse the Examiner's rejection of dependent claim 32 at least because it directly depends from claim 31.

VIII. CONCLUSION

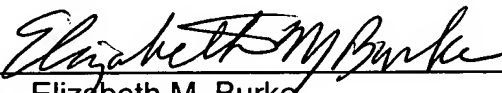
For the reasons given above, pending claims 1, 2, 5-22, and 29-32 are allowable and reversal of the Examiner's rejections is respectfully requested.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 4, 2006

By: 
Elizabeth M. Burke
Reg. No. 38,758

IX. Claims Appendix to Appeal Brief Under Rule 41.37(c)(1)(viii)

1. (Previously Presented) A method of managing rental equipment, comprising the steps of:

storing a rental list of a plurality of rental equipment items removed by a customer from one of a plurality of second secure areas connected to a first secure area, the one second secure area being assigned to the customer;

after the rental list has been stored, sensing the identity of the customer in proximity to the first secure area;

selectively providing the customer access to the first secure area based upon the sensed identity of the customer;

selectively providing the customer access to the second secure area assigned to the customer based upon the sensed identity of the customer;

after the customer is provided access to the second secure area, automatically generating a return list of rental equipment items returned to the second secure area by the customer;

determining at least one missing rental equipment item listed on the rental list and not listed on the return list; and

storing a designation of the at least one missing rental equipment item together with an identifier of the customer.

2. (Previously Presented) The method of claim 1, further including the step of:

securing the plurality of rental equipment items from the rental list in the second secure area assigned to the customer based on a reservation received from the customer.

3-4. (Cancelled)

5. (Original) The method of claim 1, further including the steps of:
starting a recording device when the identity of the customer is sensed; and
stopping the recording device after a predetermined amount of time has passed.

6. (Original) The method of claim 5, wherein the recording device includes one or more security cameras.

7. (Previously Presented) The method of claim 1, further including the step of:
permitting the customer to remove the plurality of rental equipment items from the first secure area.

8. (Previously Presented) A method of managing rental equipment,
comprising the steps of:
generating a rental list of a plurality of rental equipment items based on a reservation received from a customer;
after the rental list has been generated, sensing the identity of the customer at a secure area assigned to the customer;

selectively providing the customer access to the secure area based upon the sensed identity;

sensing an identifier on each piece of equipment as the equipment is moved into the secure area;

automatically generating a return list of each piece of equipment sensed being moved into the secure area;

determining at least one missing rental equipment item listed on the rental list but not listed on the return list; and

alerting the customer to return the missing rental equipment item to the secure area.

9. (Previously Presented) The method of claim 8, further including the step of: allowing the customer to move the equipment to the secure area when the identity of the customer corresponds to the identifier on the piece of equipment.

10. (Previously Presented) The method of claim 9, further including the step of: automatically recording status information when the customer moves the equipment to the secure area.

11. (Original) The method of claim 9, further including the steps of: starting a recording device when the identity of the customer is sensed; and stopping the recording device after a predetermined amount of time has passed.

12. (Original) The method of claim 11, wherein the recording device includes one or more security cameras.

13. (Previously Presented) A method of managing rental equipment, comprising the steps of:

storing a rental list of a plurality of rental equipment items removed from one of a plurality of secure areas, the one secure area being assigned to a customer;

after the rental list has been stored, sensing the identity of the customer;

selectively providing the customer access to the one secure area being assigned to the customer, based on the sensed identity;

allowing the customer to return equipment to the one secure area;

automatically generating a return list of equipment returned to the one secure area by the customer;

determining at least one missing rental equipment item listed on the rental list but not listed on the return list; and

billing the customer for costs associated with the missing rental equipment item.

14. (Previously Presented) The method of claim 13, further including the step of:

automatically recording a status of the equipment the customer returns to the one secure area.

15. (Original) The method of claim 13, wherein the customer identity indicates that the customer is a member of an approved group of renters and wherein the one secure area includes equipment available to the approved group of renters.

16. (Previously Presented) A system for managing rental equipment, comprising:

a first secure area;

a plurality of second secure areas accessible from the first secure area, one of which is assigned to a customer;

a rental component that generates a rental list of a plurality of rental equipment items removed from the second secure area assigned to the customer;

an access controller that selectively allows the customer to access the second secure area assigned to the customer;

a return component that generates a return list of rental equipment items returned to the second secure area by the customer and determines at least one missing rental equipment item listed on the rental list but not listed on the return list; and

an invoice component that bills the customer for a cost associated with the missing rental equipment item.

17. (Original) The system of claim 16, further including a sensor that records a piece of equipment removed from the second secure area.

18. (Original) The system of claim 17, wherein the sensor includes at least one of: radio frequency identification tag reader and bar code reader.

19. (Previously Presented) The system of claim 17, wherein the sensor includes a GPS sensor.

20. (Previously Presented) The system of claim 16, wherein the return component further comprises a sensor that records a piece of equipment returned to the second secure area.

21. (Original) The system of claim 20, wherein the sensor includes at least one of: radio frequency identification tag reader and bar code reader.

22. (Previously Presented) The system of claim 20, wherein the sensor includes a GPS sensor.

23-28. (Cancelled)

29. (Previously Presented) A system for providing goods to a customer, comprising:

a first secure area;

a plurality of second secure areas accessible from the first secure area, one of which is assigned to a customer;

an access controller that selectively allows the customer to return rental equipment to the second secure area assigned to the customer;

a partial return component that detects a missing piece of rental equipment previously rented by the customer but not among the rental equipment returned by the customer to the second secure area; and

an invoice component that automatically bills the customer for costs associated with the missing piece of rental equipment.

30. (Previously Presented) The system of claim 29, further including a sensor that records goods returned to the second secure area.

31. (Previously Presented) A method of managing rental equipment, comprising the steps of:

sensing the identity of a customer;

selectively providing the customer access to a secure area based upon the sensed identity, the secure area uniquely associated with the customer;

sensing a plurality of pieces of equipment and status information related to the customer's use of the piece of equipment as the piece of equipment is moved within a predetermined distance from an entrance of the secure area;

determining a missing rental equipment item previously removed from the secure area by the customer but not among the plurality of pieces of equipment moved within the predetermined distance from the entrance of the secure area; and

automatically billing the customer for use of the missing rental equipment item.

32. (Original) The method of claim 31, further including the step of:
automatically recording what the customer returns to the secure area.

33-34. (Cancelled)

X. Evidence Appendix to Appeal Brief Under Rule 41.37(c)(1)(ix)

None

XI. Related Proceedings Appendix to Appeal Brief Under Rule 41.37(c)(1)(x)

None